

Amitai Schwartz (CSB #55187)
Law Offices of Amitai Schwartz
Watergate Towers
2000 Powell Street, Suite 1286
Emeryville, CA 94608
Telephone: (510) 597-1775
Facsimile: (510) 597-0957

Attorney for Michael Davis

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDWARD ALVARADO, et al.

Plaintiffs And Counterclaim
Defendants,

No. C04-0098 SI

GARY WHITE AND ALEX
RIVERA,

No. C04-0099 SI

Plaintiff and Counterclaim
Defendants

STIPULATION AND ORDER FOR
DISBURSEMENT OF
INTERPLEADED FUNDS TO
LIENHOLDER MICHAEL S. DAVIS

KAY PARKER, MICHAEL DAVIS,
ANGELA ALIOTO, ANGELA
ALIOTO PROFESSIONAL LAW
CORPORATION, and BRUCE
FUNK,

Counter Defendants.

FEDEX CORPORATION, dba
FEDEX EXPRESS,

Defendant and Counter
Plaintiff.

IT IS STIPULATED, by and between Michael S. Davis, and plaintiffs and
counterdefendants, Edward Alvarado, et al., by and through their attorney,
Waukeen McCoy, that

1. Michael S. Davis has a valid lien under California law against the

proceeds of the settlements in this matter.

2. Subject to the approval of the Court, the clerk may disburse the amount of forty-eight thousand dollars (\$48,000) to Michael S. Davis out of the interpleaded funds deposited by Defendant, FEDEX CORPORATION, dba FEDEX EXPRESS.

3. Upon receipt of payment, the notice of lien previously filed in this action by Michael S. Davis April 12, 2006 will be deemed to have been canceled without further action of the parties or the Court. Michael S. Davis agrees that payment as specified in this Stipulation and Order fully satisfies any and all claims and liens he has or may have for payment by plaintiffs, Alvarado, et al., their attorney Waukeen McCoy, and defendant Fedex Corporation, including any claim for an award of attorney's fees.

IT IS SO STIPULATED.

Dated: May 2, 2008

/s/ Amitai Schwartz
Amitai Schwartz
Attorney for Michael S. Davis

Dated: May 1, 2008

/s/ Waukeen McCoy
Waukeen McCoy
Attorney for Plaintiffs,
Edward Alvarado, et al.


ORDER

Pursuant to the foregoing Stipulation it is hereby ordered that the amount of \$48,000 shall be paid to Michael S. Davis at the earliest practicable time from funds on deposit with the Clerk in this proceeding.

The Clerk is ordered to disburse the amount of \$48,000 to Michael S. Davis out of the funds on deposit in this proceeding. Any further claim of lien by Michael S. Davis against said funds is void and unenforceable and any claim to interpleaded funds is denied, as moot.

IT IS SO ORDERED.

Dated:



Susan Illston
United States District Judge